

AMENDED

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office MAR 21 1989

Returned to applicant for correction _____

Corrected application filed APR 18 1989Map filed APR 18 1989The applicant Nevada Zinc Inc.P. O. Box 127 _____, of Milington,
Street and No. or P.O. Box No. City or TownTennessee, 38053, hereby make application for permission to appropriate the public
State and Zip Code No.waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a
copartnership or association, give names of members.) February 22, 1989 Nevada1. The source of the proposed appropriation is Underground
Name of stream, lake, spring, underground or other source2. The amount of water applied for is .0155 second-feet
One second-foot equals 448.83 gals. per min.(a) If stored in reservoir give number of acre-feet N/A3. The water to be used for Milling and Mining
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated N/A(b) Stockwater, state number and kinds of animals to be watered N/A(c) Other use (describe fully under "No. 12. Remarks") Manufacture of Zinc Sulfate Solution

(d) Power:

(1) Horsepower developed N/A(2) Point of return of water to stream N/A5. The water is to be diverted from its source at the following point S E ¼ N W ¼ Section 10 T.19 N;
Describe as being within a 40-acre subdivision of public
R.21 E; M. D. B. & M. or at a point from which the N W corner of (said) Section
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
10 bears N44° 21' 51" W a distance of 3728.76'6. Place of use S ½ & N W ¼ of the S E ¼ of the S E ¼ of the N W ¼, and the N E ¼ of
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
the S W ¼ of the S E ¼ of the N W ¼, Section 10, T. 19 N; R. 21 E; M. D. B. & M.7. Use will begin about Jan. 1 and end about Dec. 31, of each year.
Month and Day Month and Day8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) Drilled and cased well with pump and motor
State manner in which water is to be diverted, i.e. diversion structure, ditches and
flumes, drilled well with pump and motor, etc.9. Estimated cost of works \$5000.00

10. Estimated time required to construct works..... 6 weeks
 If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... 6 weeks

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

To be used for manufacturing of Zinc Sulfate Solution as a commercial fertilizer
from zinc ore or oxide.

s/William P. Hendricks
 By WILLIAM P. HENDRICKS, AGENT
P.O. Box 3948
Sparks, NV. 89432

Compared bk/jis am/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0155 cubic feet per second, but not to exceed 1.8 million
gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before November 28, 1991

Proof of completion of work shall be filed on or before December 28, 1991

Application of water to beneficial use shall be made on or before November 28, 1993

Proof of the application of water to beneficial use shall be filed on or before December 28, 1993

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed..... IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E.

State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed..... office, this 28th day of November

Cultural map filed.....

A.D. 19 90

Certificate No..... Issued.....

[Signature]
 State Engineer

APPROVAL RESCINDED, SEE RULING NO. 3903
 DATED SEPTEMBER 29, 1992

(PERMIT TERMS CONTINUED)

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

